

REMARKS

Summary of the Office Action

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,243,030 to Levine (hereinafter "Levine").

Claims 4-20 are allowed.

Summary of the Response to the Office Action

Applicants have amended claim 1 to differently describe the invention. Claims 4, 11 and 18 are amended to improve the form of the claims. New claim 21 is presented to differently describe the invention. Accordingly, claims 1-21 are presently pending for consideration.

The Rejections under 35 U.S.C. §§ 102(e)

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Levine. To the extent that this rejection might be considered to still apply to the claims as newly-amended, it is respectfully traversed as follows.

The Office Action, at page 2, alleges that Levine discloses each element of independent claim 1, for example. In this regard, the Office Action cites to col. 3, lines 52-65 and col. 8, line 65 – col. 9, line 18 of Levine for a teaching of “a position detecting signal outputting part which outputs, via a mobile communication network, a position detecting signal for making a judgement on an image-pickup part which sends an image signal to said image signal receiving part” as recited in claim 1. Applicants respectfully traverse at least this portion of the Office Action’s rejection of independent claim 1 for at least the following reasons.

The instant application involves a portable information terminal equipped with a display. It also involves a system for providing the portable information terminal with image information obtained by imaging an inside condition of a shop, for example. This allows a user to determine the conditions within the shop, such as how crowded the shop is currently, before deciding whether or not to go shopping there.

The specification discusses, with regard to Fig. 9, for example, that the user's portable telephone 10 or personal digital assistant 10' sends position data to an interior image information providing site S1. The interior image information providing site S1 sends to the portable telephone 10 or personal digital assistant 10' image information provided by facility sites based on the received position data. See, for example, page 31, lines 12-20.

As a result, the user's portable device, 10 or 10', sends a position signal to an interior image information providing site S1. If the user is standing within a store, or the vicinity of a store, of which data is stored within the interior image information providing site S1, the corresponding interior data for that particular store will be sent to the user's portable device via the interior image information providing site S1. See, for example, page 42, lines 3-14.

As discussed above, the Office Action cites to col. 3, lines 52-65 and col. 8, line 65 – col. 9, line 18 of Levine for a teaching of “a position detecting signal outputting part which outputs, via a mobile communication network, a position detecting signal for making a judgement on an image-pickup part which sends an image signal to said image signal receiving part” as recited in claim 1.

However, Applicants respectfully submit that the cited portions of Levine relate to a standard Global Positioning System (“GPS”) receiver circuit which merely receives GPS data from a GPS satellite, for example, so that an appropriate map will be displayed to indicate to a user his current location.

This differs from the arrangement disclosed in the instant application, and as recited in at least independent claim 1, in that the claim recites that the “portable information terminal” itself includes a “position detecting signal outputting part which outputs ... a position detecting signal ...” As discussed above, this “outputting” (or transmitting) feature allows the user’s portable device to send a position signal to an interior image providing site S1.

For example, if the user is standing within a store, or the vicinity of a store, of which data is stored within the interior image providing site S1, the corresponding interior data for that particular store will be sent to the user’s portable device via the interior image providing site S1 as a result of the user’s portable device initially transmitting out its position data. The cited portions of Levine merely relate to a GPS receiver circuitry. Accordingly, Applicants respectfully submit that Levine does not teach, even suggest, at least this “outputting part” feature of the instant application.

Nevertheless, in an effort to advance the prosecution of this application, Applicants have opted to amend claim 1 to recite these features in more detail. In particular, claim 1 has been amended to recite a portable information terminal combination that includes, among other elements, “an image signal receiving part for receiving an image signal ~~to be~~ from an image pickup part identified by an interior image information providing site and sent via a mobile

communication network” and “a position detecting signal outputting part which outputs, via a mobile communication network, a position detecting signal representing an own position of said portable information terminal to said interior image information providing site, said position detection signal being used for making a judgement on identifying an image-pickup part which is located in an area including said own position of said portable information terminal ~~sends an image signal to said image signal receiving part.~~”

Applicants respectfully submit that at least these features are neither shown nor suggested by Levine for at least the foregoing reasons. Accordingly, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(e) should be withdrawn because Levine does not teach or suggest each feature of independent claim 1. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Furthermore, Applicants respectfully assert that dependent claims 2-3 are allowable at least because of the dependence from independent claim 1, as amended, and the reasons set forth above.

Applicants thank the Examiner for the indication that claims 4-20 are allowed.

New Claim 21

Applicant has added new claim 21 to differently describe the invention. Applicants respectfully assert that this new claim is allowable for similar reasons as set forth above with regard to original claims 1-20.

Conclusion


In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted

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